

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

CENTRAL TRANSPORT, LLC
Employer

and

Case 14-RC-148258

TEAMSTERS LOCAL 600, a/w,
INTERNATIONAL BROTHERHOOD
OF TEAMSTERS
Petitioner

ORDER

Employer's Request for Review of the Regional Director's Decision and
Direction of Election is denied as it raises no substantial issues warranting review.¹

MARK GASTON PEARCE, CHAIRMAN

PHILIP A. MISCIMARRA, MEMBER

LAUREN McFERRAN, MEMBER

Dated, Washington, D.C., May 1, 2015.

¹ Member Miscimarra joins in the decision to deny review. However, he would not apply *Specialty Healthcare & Rehabilitation Center of Mobile*, 357 NLRB No. 83 (2011), enfd. sub nom. *Kindred Nursing Centers East, LLC v. NLRB*, 727 F.3d 552 (6th Cir. 2013) or the “overwhelming community of interest” standard to determine whether the petitioned-for unit must include additional employees. See generally *Bergdorf Goodman*, 361 NLRB No. 11, slip op. 2 at fn. 2 (2014); *Macy's Inc.*, 361 NLRB No. 4, slip op. at 22-33 (Member Miscimarra, dissenting). Rather, he finds that the interests of the petitioned-for local pickup and delivery drivers are sufficiently distinct from those of the over-the road drivers (here called road drivers) to warrant establishment of a separate unit. See *Wheeling Island Gaming*, 355 NLRB 637, 637 fn. 2 (2010) (quoting *Newton-Wellesley Hospital*, 250 NLRB 409, 411-412 (1980)). Member Miscimarra also emphasizes that the Board “has long held that local drivers and over-the-road drivers constitute separate appropriate units where they are shown to be clearly defined, homogenous, and functionally distinct groups with separate interests which can effectively be represented separately for bargaining purposes.” *Georgia Highway Express, Inc.*, 150 NLRB 1649, 1651 (1965).